

*Bell. (C)*

Reprinted from  
MEDICO-LEGAL JOURNAL,  
March, 1889.

*Advance Sheets*

NINTH INAUGURAL ADDRESS.\*

OF CLARK BELL, ESQ.

AS PRESIDENT OF THE MEDICO-LEGAL SOCIETY.

FELLOWS OF THE MEDICO-LEGAL SOCIETY :

I have to thank you for your great partiality and kindness in again placing me in this chair, with such unanimity, as well as for the kind manner in which you have aided the chair in the very important, and responsible labors of the year.

MEMBERSHIP.

The Roll of Membership of this body, on December 31, 1887, was 432, composed as follows : Active, 273 ; corresponding, 148 ; honorary, 11.

Of these, among active members there were : Lawyers, 138 ; doctors, 124 ; scientists, 11.

Of corresponding, there were only 19 lawyers, 119 physicians, and scientists, 10. Of the honorary members, 5 were legal and 6 medical, making a total of legal, 163 ; medical, 248 ; scientific, 21. There was upon the roll 594 members, on December 31, 1888, of whom 429 are active, 154 corresponding, and 11 honorary.

We have elected during the year 163 active and 10 corresponding members, a total of 173, and our present active membership is composed among active of : Legal, 158 ; medical, 254 ; scientific, 17. Our corresponding, of legal, 20 ; medical, 124, and scientific, 10, with 5 legal and 6 medical on the honorary list.

So that in our total membership at the close of the

\*Pronounced January 9, 1889.



past year, December 31, 1888, we had : Legal, 183 ; medical, 384, and scientific, 2 .

We have lost by death 7 active and 4 corresponding, making a total of 11, and our increase of active and corresponding membership over deaths, resignations and suspensions, has been for the year : Active, 156 ; corresponding, 6. Total, 162.

#### NECROLOGY.

The loss by death among the active members has been seven :—Dr. James Craig, of Jersey City ; Dr. A. J. Chadsey, of New York ; Hon. W. A. Dorsheimer, of New York ; Hon. Chas. Hughes, Sandy Hill, N. Y. ; Cornelius A. Runkle, Esq., of New York ; M. N. Miller, M.D., of New York, formerly assistant secretary of the society ; Dr. O. H. Kellogg, of Indiana ; J. E. McIntyre, Esq., formerly secretary of this society, and late of California ; and of the corresponding members, Achille Foville, M.D., of France ; J. N. Ramaer, of Holland ; Prof. Augustin Andrade, of Mexico ; Dr. Enrique a Frimont, of Ozuluamo, Mexico.

#### THE WORK OF THE YEAR.

The following papers have been read before the Society and many of them published in the MEDICO-LEGAL JOURNAL :

“ Eighth Inaugural Address,” by Clark Bell, Esq. ; “ Criminal Jurisprudence,” by P. Bryce, M.D. ; “ Best Methods of Executing Criminals,” by J. Mount Bleyer, M.D. ; “ Hypnotic, Trance and Kindred Phenomena,” by E. P. Thwing, M.D. ; “ The Menopause in relation to Insanity,” by T. R. Buckham, M.D. ; “ The Prognosis of Pelvic Cellulitis,” by W. Thornton Parker, M.D. ; “ Possibility of Air in Heart in Infanticide,” by F. W. Higgins, M.D. ; “ The After-death Absorption of Arsenic,”

by Geo B. Miller, M.D.; "Report of Committee on Best Methods of Capital Punishment"; "Medical Jurisprudence of Inebriety," by Mary Weeks Burnett, M.D.; "American Life as related to Inebriety," by Edward Payson Thwing, M.D.; "Rape by Boys," by Daniel Brinton Esq., of Baltimore; "A Case of Supposed Abortion," by W. Thornton Parker, M.D., of Newport; "Report on Nationalization of the Society," by the President, Clark Bell, Esq.; "Is Belief in Spiritualism ever Evidence of Insanity *per se*?" By M. D. Field, M.D.; "The Webber Murder Case, in Philadelphia," by Wm Wilkins Carr, Esq., of Philadelphia; "The New Judicial Departure in Insanity Cases," by Clark Bell, Esq.; "Should Inebriates be Punished by Death for Crime?" by T. D. Crothers, M.D., of Hartford; "Physiology and Psychology of Crime," by Rev. Wm. Tucker, LL.D., of Ohio; "Hypnotism," by Morris Ellinger, Esq.; "Euthanasia in Articulo Mortis," by E. Payson Thwing, M.D.; "Testamentary Capacity in Mental Disease," by A. Wood Renton, Esq., of London; "Report of Committee on Execution by Electricity"; "Death by Electricity in Capital Cases," by Henry Guy Carleton, Esq.; "Circumstantial Evidence in Poisoning Cases," by John H. Wigmore, Esq.

#### NATIONALIZATION OF THE SOCIETY.

By far the most important of the labors of the Society during the past year has been that of assuming the national character and organization, which the history, labors and traditions of the Society entitled it to accept.

It had for many years represented the best American thought, upon Medical Jurisprudence in both professions; it was proper that it should be national and cease to be local in its labor. The organic law was amended.



Members from the various States and Territories, and other countries united, and at our recent election, vice-presidents of the body were elected from nearly every State and Territory in the Union, and from some foreign countries and colonies. To this movement so much of the time of the chair has been devoted that other interests have perhaps suffered for want of proper attention.

The accessions from other States and countries have been very large. It may seem invidious to name particular States, but the palm has been closely contested by the greatest of the Southern States in territory, Texas, and the smaller State of New Hampshire, the latter of which has thus far furnished most of our new membership in proportion to her area and population. For this result in New Hampshire, I desire thus publicly to express the thanks of the body to United States Senator W. E. Chandler, to whose valuable and efficient co-operation with the chair this result is largely due, and to Dr. T. R. Wallace, of Texas Insane Asylum, and Hon. Thomas Ochiltree for the great success in Texas.

To carry such a work into every State and Territory, reaching the more prominent members of the professions interested, is no small labor, but the coming year will doubtless double our labor of 1888 and make this Society one of the most commanding and prominent factors in the advancement of Forensic Medicine among civilized nations.

The great success that has attended our labors in this respect, is also largely due, and I take pleasure in thus acknowledging the very efficient aid of Senator Davis, of Minnesota; Senator Beck, of Kentucky; Governor Green, of New Jersey; ex-Governor Hoyt, of Pennsylvania; Judge Somerville, of Alabama; Judge Montgomery, of Washington, D. C.; Judge Normile, of Missouri;

Dr. T. R. Buckham, of Michigan ; Dr. Milo A. McLelland, of Illinois ; ex-Governor Watson C. Squire, of Washington Territory ; Judge Wm. H. Francis, of Dakota ; and that distinguished body of Superintendents and assistant physicians in the Hospitals for the Insane, more than thirty two of whom have united with the Society during the year that has just closed, and who have without exception lightened the labors of the chair in this regard.

Too high praise cannot be awarded to the splendid aid lent by the public press to the work of this body. The New York *Herald* has given it great attention. The New York *Tribune* has also given our work high endorsement and praise. The *Mail and Express* published the prize essay of Mr. Wigmore. The New York *World* published the paper of Mr. Carleton. The *World* and *Sun* have loaned us electrotypes, and the leading journals of this city have extended courtesies of great importance, and are entitled to our thanks. To the Medical and Law journals, home and foreign, are we greatly indebted for like favors, and it gives me pleasure to publicly return the thanks of this body to the press for its cordial aid.

#### THE PRIZE ESSAYS.

Through the generosity of that public spirited member, Mr. Elliott F. Shepard, and the private contributions of a few of our more enterprising members, three prizes were offered—one of \$100, one of \$75 and one of \$50, for the first, second and third best essay on any subject within the domain of medical jurisprudence.

There were ten papers contributed in competition, and the prizes were awarded by a committee composed of Ex-Judge Noah Davis, Ex-Judge John F. Dillon, W.



G. Stevenson, M. D., Stephen Smith, M. D., and E. W. Chamberlain, Esq.

The first prize was awarded to John H. Wigmore, Esq., of Boston; the second to J. Hugo Grimm, Esq., of St. Louis, and the third to Edward M. Hyzer, Esq., of Janesville, Wis. Honorable mention was made of a second paper by Mr. Wigmore, one by Prof. Ed. Payson Thwing and one by the President of the Society. As it will be hardly possible to find space in the Journal for all these papers, I recommend that the larger part of them be published in book form, under the auspices of the Society, if sufficient encouragement is given by members towards providing the necessary funds without expense to the Society. The three prize essays and those receiving honorable mention could be published so as to sell to members at cost who subscribed, at the nominal sum of \$1.00, in cloth, and 50 cents in paper; and, if sufficient members order them, they will be published and will form a notable contribution to the forensic literature of our times, and add to the good work of the Society.

The success which has attended this effort has been such as to warrant its continuance, and I have the honor to announce that I will offer in my own name the first prize of \$100 for the best essay of the ensuing year, competition to close September 1, 1889; and I do not doubt that similar prizes for second and third best essays will be provided for same amounts, by subscription, which will be shortly sent to a few of the leading public-spirited members of the body.

#### PUBLICATIONS.

The Society during the year has published a volume on the "Medical Jurisprudence of Inebriety," embracing

the more notable papers germane to that topic read before it, with the discussion upon them. This volume has just been issued, and is offered to members at 50 cents cloth and 35 cents in paper.

It is a publication which reflects credit upon the Society, and is a valuable addition to the literature of our era on a topic now engrossing so large a share of public attention.

"Medico-Legal Papers, Series 4," has progressed, and about one-half of the volume of 550 pages is completed. Subscriptions to this work, and to "Series 5," which will follow it, come in constantly, which have been announced in the Journal.

It is only by these subscriptions—at \$3.50 cloth, and \$2.50 paper—that the body has been able to publish these valuable papers read before the Society prior to the commencement of the Journal, and the consequent preservation and addition of the same to the forensic literature of our era.

"Medico-Legal Papers, Series 1," has for some time been out of print, the edition being wholly exhausted.

An effort is now being made to publish another edition of "Series 1," embellished with portraits and illustrations, which will be done if those members who have not that series in hand care to subscribe. It can be furnished at \$3.00 in cloth and \$2.25 in paper, and if sufficient members order it, the publication will be commenced without expense to the Society beyond subscription to the usual number of copies for those societies and journals to whom it is under obligation to send copies of its publications.

The MEDICO-LEGAL JOURNAL has been, perhaps, the most important factor in carrying on the work of the body. Its circulation has increased and its exchanges



are now with the best journals of the kindred sciences in the world. By it the labors of the body and interest in the subjects discussed reach the students, workers and thinkers in forensic medicine in all lands.

The burden and labor of this publication has fallen on a few. The members of the Society have been furnished with it, at less than its actual cost. The moment the finances of the Society will permit, these conditions should be changed, and members of the Society who can, should aid the Journal in all ways in their power, by increasing its subscribers and sending it financial support.

#### THE LIBRARY.

The principal contributors to the Library during the past year have been our new and our foreign members. Some measures should be adopted to place the Library on a more firm foundation and to interest members in its success.

The extraordinary duties now imposed upon the Chair has prevented that personal attention hitherto given this important subject, and some one should volunteer to take up this neglected question, and bring the cause of the Library to the front. If every member would annually donate one volume, it would add notably to our already valuable collection.

#### PROGRESS OF THE SCIENCE.

There is steady growth in this country in medical jurisprudence.

The Medico-Legal Societies of Philadelphia and of Chicago are in a most flourishing condition.

The Medico-Legal Society of Massachusetts and of Rhode Island, composed of the Medical Examiners in those States, who supersede there the Coroner system,



are doing splendid work and awakening interest in medico-legal questions.

In some of the State Medical Societies medical jurisprudence is ignored, and in some it is cared for.

In the associations of the Bar it is almost wholly ignored.

In the medical colleges it is, in some cases, given attention, and in a few of the law schools, but it is a scandal upon both professions that their schools of law and of medicine give so little attention to those subjects now so exciting public attention, and which are entitled to professional recognition from every point of view.

#### LUNACY LEGISLATION.

The crying evils of our lunacy statutes, everywhere acknowledged, and to which attention has been called by the Governor of the State, is cause of regret and apprehension.

Various measures for relief have come before the legislature and the people. Several are now under consideration.

It is my deliberate conviction that no sound remedial legislation is attainable in the State of New York, except by or through a legislative commission, or a commission named by the Governor of the State. This has been previously urged upon the executive and legislature, by the Medico-Legal Society. We trust that the time is near at hand when a carefully selected commission will be named and charged with the duty of a thorough revision of the Lunacy Law of the State.

#### JUDICIAL EXECUTIONS BY ELECTRICITY.

The abolition of hanging as a death penalty has been for many years discussed in this body.

The "Diagnosis of Hanging," by Tardieu; "The Death Penalty," by Dr. Alonzo Calkins; a like paper by Prof. Packard of Philadelphia, and the recent papers by Dr. J. Mount Bleyer and Henry Guy Carleton, Esq., have been read before the Society at various times during the past fifteen years.

The committee appointed by the Governor made their report upon the subject, January 18, 1888, recommending the abolition of hanging, and the substitution of death by the electric current.

The select committee of this Society reported at the March meeting, favoring the course recommended by the State Commission, and their action was transmitted to the legislature soon after by this society.

The legislature passed an Act carrying out the leading features of the report, and the Governor signed the bill which, by its terms, went into operation January 1, 1889.

The Medico-Legal Society, on the recommendation of the Chair, named a committee to examine the whole subject, conduct experiments with the aid of competent electricians, and report for the benefit of the public authorities, the best method of carrying this law into effect.

This committee made a report in December, 1888, recommending the use of the alternating current, which had the endorsement of high electrical authority, was approved by the body, and the subject is now under discussion in scientific circles throughout the world.

THE INTERNATIONAL CONGRESS OF MEDICAL JURISPRUDENCE IN NEW YORK.

On the first Tuesday of June, 1889, there will be held in New York, an International Congress of Medical



Jurisprudence, to which all scientific bodies and scientists throughout the world are invited to be present, and contribute papers, in any language.

It will continue four days, and the delegates and strangers during the session will be the guests of the Members of the Medico Legal Society. A large attendance is expected, and already many papers have been promised by eminent scientists, home and foreign. A volume of the transactions of this Congress will be published, to be furnished subscribers in paper cover, at \$1.50 each; cloth, \$2.00.

The details will be settled by appropriate committees to be hereafter announced.

A Committee on the Legal Requirements of Autopsies is nearly ready to report.

The Committee on Hypnotism is conducting its experimental work.

Committees on Re-Organization of the Morgue; on Criminal Responsibility of Deaf Mutes; on National and State Chemists, and on the "Comstock Seizures" have not concluded their labors.

The Committee on Legislation Regarding the Insane, will be continued for work during the coming year, as to uniformity in laws of the various States, and the newly re-organized committees will be announced hereafter.

#### GREAT BRITAIN.

There has been no especial advance made in Forensic Medicine during the past year, nor has any National Society been organized in the British Isles. The amendments to the Lunacy Laws are still pending before the English Parliament.

## FRANCE.

The Medico-Legal Society of France carries forward its work with vigor and ability.

The French Journals are as able and influential as in previous years.

## GERMANY AND AUSTRIA.

While there is no Society of Medical Jurisprudence in any of the German speaking countries, the science receives considerable attention from the Societies of Psychiatry at Berlin, and at Vienna. The *Quarterly Journal of Medical Jurisprudence* in Berlin, and *Friedrichs Blatter of Legal Medicine* at Nuremberg, maintain their high standard of excellence. Nearly all the allied sciences, and that of law are ably maintained by a great body of able Journals in Austria, Bavaria, Germany and all the German speaking cities and counties.

## ITALY

has no Medico-Legal Society, but it has a large body of workers in the science, and the ablest array of Journals of any country.

*La Revista Sperimentale di Medicin Legali* is a standard Journal of the Science, and the Legal, Social Medical and Scientific Journals of Italy are second to none in the world.

## BELGIUM AND HOLLAND.

The Society of Mentale Medicine of Belgium and the Netherland Society of Psychiatry represent the leading work in that branch of medical jurisprudence relating to mental medicine. A movement is on foot in Belgium to organize both professions into work upon medical jurisprudence in a Medico-Legal Society which has the favor of medical men there. If the Belgian Bar meets



this in the proper spirit it will produce early and good fruit for the progress of the cause.

#### RUSSIA AND SCANDINAVIA.

The Society of Psychiatry of St. Petersburg, under the able presidency of Prof. Mierzejewsky, and the leading Russian and Scandinavian journals, keep pace with the advance of scientific progress in forensic medicine in these countries, which have no journal especially adapted to medical jurisprudence except the new one recently started at St. Petersburg, which has not been received by us. The journals conducted by Prof. Mierzejewsky and Prof. Kowalewsky maintain their high standing.

#### SPAIN AND PORTUGAL

have both made progress. A new journal devoted to medical jurisprudence has been commenced at Madrid, under the leadership of a prominent lawyer, Signor A. M. Alvarez Taladriz, which gives promise of good work, while in Portugal a successful journal is conducted by Dr. Bettencourt Rodrigues, which is received in exchange for our publications.

#### CENTRAL AND SOUTH AMERICA.

No societies are yet formed in the Central or South American countries of the two professions of law and medicine, but able journals are published in Cuba and elsewhere, mainly on medical topics. Quite a number of eminent men in these countries take an interest in our labors, and we are extending our membership into these fields.

#### THE WORK OF THE COMING YEAR.

The principal effort should be to carry forward with energy the work of nationalization of the body, and se-

cure members in every State and Territory, and in each foreign country and colony, who will be in relation with this body and represent the work in every locality, increasing our membership to at least 1,000 members to co-operate in the movements now going forward to bring the lunacy laws and other laws of the various States into some general system of harmonious working.

To complete the labors of the various committees of the body.

To devise best plans by which the members in the various States and countries can bring questions arising in their locality to the attention and action of the body, and to develop and increase the public interest in forensic medicine.

I renew the recommendations made by me last year as to the importance of State and National chemists, under the pay of the State or the government, to be at the service of accused persons or the government in criminal trials.

I strongly urge the re-organization of the Morgue upon a basis that shall place its administration in charge of the most eminent toxicologists and scientists in the city, with a well-equipped medical staff; I recommend that this body, through an appropriate committee, urge upon the medical schools and colleges the urgent need of chairs of medical jurisprudence as a feature of medical education, and upon the State Medical Associations the organization of a separate section upon forensic medicine. Upon the higher universities the great importance of this science, and to the National and State Bar Associations of the Union the establishment of standing committees on that much neglected but essential branch of a complete legal education, "Medical Jurisprudence." I congratulate the Society upon the wonderful growth and



prosperity of the past year, and hope that we may all enter with renewed zeal and energy upon the labors of another, determined to outstrip the work of the year just closed.

